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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
NATURAL RESOURCES DEFENSE COUNCIL,	:
INC.	:
	:
Plaintiff,	:
	:
v.	:
	:
UNITED STATES ENVIRONMENTAL	:
PROTECTION AGENCY,	:
	:
Defendant.	:
-----X	

08 Civ. 2443 (DLC)

ECF CASE

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Memorandum of Law in Opposition to Plaintiff's Motion for Partial Summary Judgment and in Support of Defendant's Cross-Motion for Partial Summary Judgment, and the accompanying Declaration of Serrin Turner and the exhibits attached thereto, defendant, by its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court before the Honorable Denise L. Cote for an order granting partial summary judgment to defendant upholding its denial of plaintiff's fee waiver request under the Freedom of Information Act, 5 U.S.C. §§ 552 *et seq.*

Dated: New York, New York
July 7, 2008

MICHAEL J. GARCIA
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By: /s/ Serrin Turner
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